S.B.CIVIL WRIT PETITION NO.5472/2007
State of Rajasthan Vs. Bhera Ram & Ors.

DATE OF ORDER :: 12.09.2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. S.N. Tiwari, Dy. Govt. Advocate.

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By this petition for writ a challenge is given to the order dated 27.1.2003 passed by the Board of Revenue, Rajasthan, Ajmer affirming the judgment dated 29.7.2000 passed by the Revenue Appellate Authority, Pali. In brief facts of the case are that the Collector, Pali by the order dated 13.6.1990 cancelled the allotment of land made in favour of Sh. Bheraram Jat under an order dated 4.7.1966. Being aggrieved by the same an appeal was preferred by Sh. Bheraram before the Revenue Appellate Authority that came to be accepted, however, the same was remanded for its reconsideration by the Board of Revenue, Rajasthan, Ajmer under an order dated 6.5.1996. The Revenue Appellate Authority by its order dated 29.7.2000 reconsidered the appeal and accepted the same by setting aside the order passed by the Collector dated 13.6.1990. The Revenue Appellate Authority while accepting the appeal found that the application for cancellation of allotment was made after a lapse of 13 years from the date of allotment and in the meantime the Khatedari rights were already sold by Bheraram

on 7.6.1976, as such, there was no reason to cancel the allotment made in his favour. The State Government preferred an appeal before the Board of Revenue and that came to be rejected by the judgment dated 27.1.2003. The Board of Revenue held that the allotment was made in the year 1966, and therefore, after a belated stage there was no reason to reconsider it specially in the circumstances that the Khatedari was also sold and transferred to some other person.

I do not find any error in the orders impugned that may warrant interference of this Court under Article 226 and 227 of the Constitution of India. This petition for writ, therefore, is dismissed.

(GOVIND MATHUR),J.

jgoyal